

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CR-00156-RJC

USA

v.

JORGE ARMANDO RIOS
SANDOVAL

ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines relating to certain zero-point offenders. (Doc. No. 58).

Part B, Subpart 1 of the Amendment is retroactive and created a two-level decrease if a defendant meets all the criteria in USSG §4C1.1(a). USSG §1B1.10(d), comment. (n.7). Here, the defendant was assessed six criminal history points drug trafficking and illegal re-entry convictions. (Doc. No. 34: Presentence Report ¶¶ 42, 43). He also received an enhancement for his aggravated role in the offense. (Id. ¶ 32). Accordingly, he is not eligible for relief. USSG § 4C1.1(a)(1), (10).

IT IS, THEREFORE, ORDERED that the defendant's motion for sentence reduction, (Doc. No. 58), is **DENIED**.

IT IS FURTHER ORDERED that the defendant's motions to compel, (Doc. Nos. 59, 60) are **DISMISSED** as moot.

Signed: March 1, 2024



Robert J. Conrad, Jr.
United States District Judge

